HON'BLE THE ACTING CHIEF JUSTICE MR.BILAL NAZKI

AND

HON'BLE SRI JUSTICE R. SUBHASH REDDY

Writ Petition Nos.11693 & 21768 of 2005

Dated: 14th November 2005

Between:

The Vavelati Padu Grama Panchayat

Jarugumalli Mandal, Prakasam District

Rep. by its Sarpanch, B.Rama Koteswara Rao … Petitioner

And

The District Collector & Magistrate,

Ongole, Prakasam District.

And three others. … Respondents.

Oral Order: (per the Hon'ble Acting Chief Justice Mr. Bilal Nazki)

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1. Heard learned counsel for the parties.

2. In W.P.No.21768 of 2005 the petitioner, who is the President of Bheem Rao Yuvajana Sangh, alleged that the respondents are practicing untouchability in Vavileti Padu Village, Zarugumalli Mandal, Prakasam District. Learned counsel for the petitioner submitted that the 5th respondent at the time of elections to the post of Sarpanch made a false promise that the statue of Dr.B.R.Ambedkar will be installed in the village.

However, after being elected as Sarpanch of the Village, the 5th respondent negatived the proposals for installation of the statue of Dr.B.R. Ambedkar besides the statue of Mahatma Gandhi in the government land situated at Bus Stand Centre, Vaviletipadu. In Writ Petition No.11693 of 2005 filed by the 5th respondent in W.P.No.21768 of 2005 it is submitted that the Gram Panchayat should be permitted to install the statue of Dr.B.R.Ambedkar in one of the three sites approved by it viz., 1) at the entrance of the village, 2) in front of the elementary school in the village, and 3) at the entrance of M.P. elementary school. Learned counsel for the petitioner in W.P.No.21768 of 2005 submitted that the petitioner has no objection for installation of the statue of Dr.Ambedkar in any one of those places, but, at the same time, submitted that the practice of untouchability should be curtailed.

3. After hearing the learned counsel for the parties, we are of the view that both the writ petitions can be disposed of with the following directions:

1. The Gram Panchayat may install the statue at any of the three sites approved by it, and, in case of any difficulty in installing the statue; the concerned police shall take care of the situation and see that the statue is installed without any danger to the public order and peace.

2. In case there is any violation of rights of any of the villager on account of alleged practice of untouchability, he shall approach the Collector and the Superintendent of Police of the District and, in case of any such complaint, the Collector and Superintendent of Police shall personally look into the matter and take all steps that are necessary in accordance with law to stop such a practice and see that if such an act has been committed by anybody, he is brought before the law.

4. The writ petitions are disposed of with the above directions.

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(Bilal Nazki, ACJ)

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(R. Subhash Reddy, J)

14th November 2005

svs